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Exhibit 2**

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## Phone call rates squeeze inmate families, boost state prison revenues

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Tuesday, April 28, 2015

By Agnel Philip

Cronkite News

GLENDALE – Shayna Palles says phone calls are one of the few ways she can keep her 2-year-old daughter connected to her father, David Colbert, who is serving a 7.5-year prison term in Tucson for second-degree burglary.

"Having him sucked out of her life like that, it's a shame to me," she said. "I think that that's the most tragic part of it is knowing the relationship they could have had and did have and knowing that they were such close friends, like buddies, and so similar. I don't want her to ever think she did something wrong or that her daddy didn't want to be here." ► listen

But connecting with her husband for the 15 minutes allowed each day has proven to be costly. Because she has a non-local number, Securus Technologies, which handles prisoner phone calls for the Arizona Department of Corrections, charges her \$6 for every 15-minute call she accepts on her cellphone and \$5.60 if the money comes from her prepaid account with the company.

Before obtaining a local number for Tucson through a company that works with relatives and friends of inmates, which dropped the price of a 15-minute call to \$1.84 – or \$1.60 from her prepaid account – she said he was paying about \$180 per month for the phone calls.

In addition, she's charged \$7.95 every time she deposits money in her prepaid account managed by Securus Technologies.

"Some people might not see \$6 a day as a lot, but when you have an infant, \$6 a day is half a pack of diapers if I need it, it's my dinner that night, it's gas to do what I need to do, and it adds up very quickly," she said.

Prison rights advocates say the calling costs Palles and other inmate family members face are the result of contracts between phone providers and prison systems that give phone service monopolies to providers while providing an additional revenue stream to prisons. Arizona has the [fifth-highest 15-minute call cost \(https://www.prisonphonejustice.org/state/2014/AZ/\)](https://www.prisonphonejustice.org/state/2014/AZ/) in the country, according to the advocacy group Prison Phone Justice.

In fiscal 2014, Arizona's prisons [received \\$4.1 million \(https://www.documentcloud.org/documents/1919097-fy10-14.html#document/p25/a214666\)](https://www.documentcloud.org/documents/1919097-fy10-14.html#document/p25/a214666) from a 53.7 percent commission on Securus' total revenue from prison calls.

Arizona's prisons will be receiving an even higher percentage of phone call revenue starting this summer when CenturyLink becomes the phone provider, Andrew Wilder, a Department of Corrections spokesman, said by email. At 93.9 percent, the commission will be the [highest in the country \(https://www.prisonphonejustice.org/\)](https://www.prisonphonejustice.org/), according to Prison Phone Justice.

[By law \(http://www.azleg.gov/FormatDocument.asp?inDoc=ars/41/01604-03.htm&Title=41&DocType=ARS\)](http://www.azleg.gov/FormatDocument.asp?inDoc=ars/41/01604-03.htm&Title=41&DocType=ARS) that money must be spent on inmate services, but most of it hasn't gone toward any of those programs in recent years, according to [department reports \(https://www.documentcloud.org/documents/1919097-fy10-14.html\)](https://www.documentcloud.org/documents/1919097-fy10-14.html).

The Special Services Fund, where the money made in commission by the department gets deposited, has increased more than 12-fold to [\\$8.9 million \(https://www.documentcloud.org/documents/1919097-fy10-14.html#document/p25/a214644\)](https://www.documentcloud.org/documents/1919097-fy10-14.html#document/p25/a214644) since fiscal 2010, while expenditures have been cut nearly in half during that same time period. The money from the fund spent on work-based education at community colleges, for example, has fallen from \$1.6 million in fiscal 2010 to \$636,684 in fiscal 2014.

Money in the fund is supposed to go toward "the benefit, education and welfare of committed offenders," and "to pay the costs of a telephonic victim notification system," according to the Arizona Revised Statutes.

Wilder didn't explain why the fund's expenditures have been cut but [wrote in an email \(https://www.documentcloud.org/documents/2011649-andrew-wilder-email.html#document/p1/a214733\)](https://www.documentcloud.org/documents/2011649-andrew-wilder-email.html#document/p1/a214733) that the money pays for "essential and legally required programming services."

Inmate phone call rates, 2013:

Local calls

- 15-minute call cost: \$1.84 (collect) or \$1.60 (prepaid)
- Number of calls: 1.2 million (17.3 million minutes)
- Total costs: \$2.2 million

Intrastate calls (not long distance)

- 15-minute call cost: \$6 (collect) or \$5.60 (prepaid)
- Number of calls: 609,154 (8.1 million minutes)
- Total costs: \$3.6 million

Intrastate calls (long distance)

- 15-minute call cost: \$5 (collect) or \$4.60 (prepaid)
- Number of calls: 365,645 (4.8 million minutes)
- Total costs: \$1.8 million

Out-of-state calls (Mandated by FCC)

- 15-minute call cost: \$3.75 (collect) or \$3.15 (prepaid)
- Number of calls: 131,000 (1.7 million minutes)
- Total costs: \$471,451

International calls

- 15-minute call cost: \$8 (prepaid)
- Number of Calls: 14,608 (166,870 minutes)
- Total costs: \$116,648

Source: [Arizona Department of Corrections](https://www.documentcloud.org/documents/20-screen-shot-2015-04-21-at-4-29-46-pm.html)

(<https://www.documentcloud.org/documents/20-screen-shot-2015-04-21-at-4-29-46-pm.html>)

**INTERACTIVE GRAPHIC: Explore the Special Services Fund (<http://cronkitenewsonline.com/2015/04/revenue-expenditures-and-balances-for-the-special-services-fund/>)**

The Federal Communications Commission has taken steps in recent years to curb the cost of prison phone calls, including a 25 cent-per-minute cap on out-of-state collect calls. The FCC is looking at adding caps for calls made within states, but it has met resistance from phone providers and prison systems including the Arizona Department of Corrections, which [claims that reductions in rates will harm inmates and the public](https://www.documentcloud.org/documents/1919096-dortch-marlene-fcc-inmate-calling-reg-2014-12-31.html#document/p2/a214181) (<https://www.documentcloud.org/documents/1919096-dortch-marlene-fcc-inmate-calling-reg-2014-12-31.html#document/p2/a214181>).

"It is absurd and offensive for the FCC to supplant its policies for that of the governor, legislators and correctional directors," Charles Ryan, the department director, [wrote in a letter to the FCC](https://www.documentcloud.org/documents/1919096-dortch-marlene-fcc-inmate-calling-reg-2014-12-31.html#document/p2/a214180) (<https://www.documentcloud.org/documents/1919096-dortch-marlene-fcc-inmate-calling-reg-2014-12-31.html#document/p2/a214180>).

Donna Leone Hamm, executive director of Middle Ground Prison Reform, said the high rates charged by prison phone companies keep inmates from keeping in touch with their families and increase their chances of ending up back in prison after their sentences.

"Every study that's ever been done shows that continuous contact, maintaining family and community ties during incarceration, reduces recidivism rates enormously," she said.

Hamm said the fees hurt those who can least afford them.

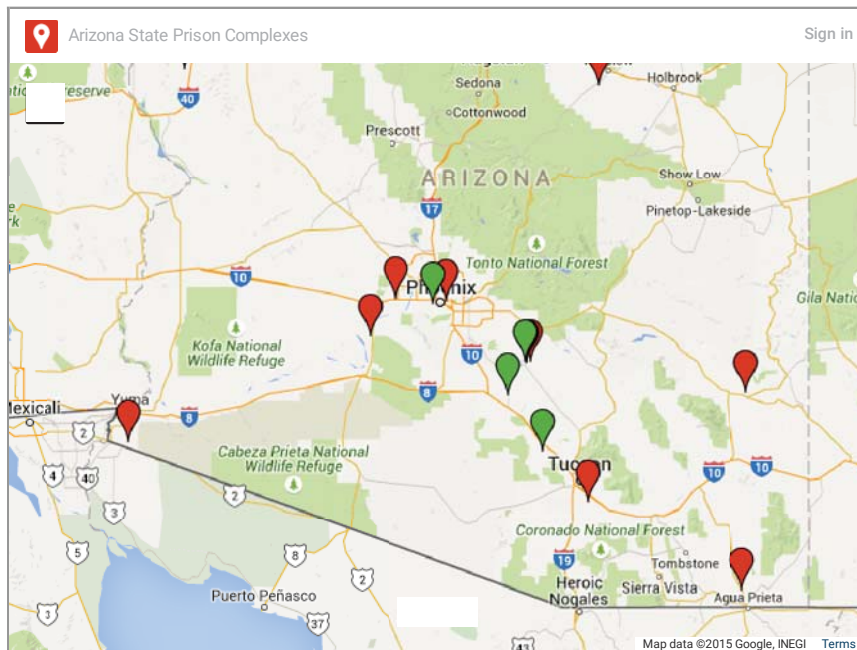
"The vast majority of people who are in prison are either poor or from racial or ethnic minority families who also happen to be poor, and that means their families are in the same position," she said.

Carrie Wilkinson, director of Prison Phone Justice, said that states that don't mandate commissions from phone providers have significantly lower rates, such as New Mexico ([66 cents per 15-minute call](https://www.prisonphonejustice.org/state/2014/NM/)) (<https://www.prisonphonejustice.org/state/2014/NM/>), Rhode Island ([70 cents](https://www.prisonphonejustice.org/state/2014/RI/)) (<https://www.prisonphonejustice.org/state/2014/RI/>) and New York ([72 cents](https://www.prisonphonejustice.org/state/2014/NY/)) (<https://www.prisonphonejustice.org/state/2014/NY/>).

"It's so important for prisoners and their families to stay in touch during times of incarceration, and I think when the government is actually putting up an obstacle that a phone rate is so high that they can't afford to talk because the prison has to get their kickbacks, I think we really need to overcome that as a society," she said.

Because of the commissions providers pay to many states, phone providers have used other fees to boost profits, like the \$7.95 transaction fee Securus charged Palles to put money on her account, Wilkinson said.

The Arizona Department of Corrections has taken steps to reduce the cost of phone calls to inmates by [forbidding those fees](https://www.documentcloud.org/documents/2010246-ctl-response-az-doc-request-for-clarificaton-07.html#document/p7/a214728) (<https://www.documentcloud.org/documents/2010246-ctl-response-az-doc-request-for-clarificaton-07.html#document/p7/a214728>) as part of its new contract with CenturyLink that will start on July 1. But advocates say the commission rate in the new contract will keep rates for inmate families high.



During the bidding process last year for the contract CenturyLink won, the Department of Corrections encouraged phone companies to offer the highest commission possible by assigning [1,500 of the 1,800 available evaluation points](https://www.documentcloud.org/documents/2008775-evaluation-scoring-summary-sheet-14-066-24.html#document/p1/a214727) (<https://www.documentcloud.org/documents/2008775-evaluation-scoring-summary-sheet-14-066-24.html#document/p1/a214727>) based on how high the rate was. The remaining 300 points were assigned based on how well the companies met the department's technical requirements, how qualified each company was and the companies' implementation plans.

Wilder [wrote](https://www.documentcloud.org/documents/2011649-andrew-wilder-email.html#document/p1/a214732) (<https://www.documentcloud.org/documents/2011649-andrew-wilder-email.html#document/p1/a214732>) that the commission rate was weighted heavily in the contract bid because all the phone providers would have provided similar services, making the money being paid back to the department of higher importance than other factors.

Hamm said the department's emphasis on its commission shows that it is not looking out for the best interests of inmates and their families.

"I think that's pretty telling about where their heart is in terms of awarding this contract," she said. "They're looking to make money, and I think it's unconscionable that the families and the children of inmates have to suffer with maybe only one phone call a week instead of four or five."

Wilkinson, with Prison Phone Justice, said Arizona's contract is very unusual because it calls for a high commission rate but doesn't allow for extra fees.

CenturyLink won't comment on its contract with the department because of pending litigation related to its contract, Alex Juarez, a company spokesman, said in a voicemail. He said it involved one of the other bidders.

Palles said that even if the money she paid to keep in contact with her husband went toward programs for him, she wouldn't feel any better about the money she pays because those programs shouldn't be relying on money from families.

"Your job is to house people and rehabilitate them, and if you can't afford to do that yourself, then you should not have so many people there," she said.

The challenge for Palles is making sure her daughter feels like her father is still a part of her life as she grows up.

"When you put somebody in prison, you're putting their whole family there, and that's crazy," she said. "If the goal is to just isolate them from their families, then just isolate them. Turn off the phones. You're not doing us a service, to be honest."

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#### VIDEO STORY



<http://www.youtube.com/embed/0NxPFNgMUyU>

Advocates say commissions that providers pay to the Arizona Department of Corrections and other prison systems drive up costs for inmates' families. The money is supposed to provide services, but not much of it has been spent in recent years.

Video story by Lauren Klenda



<http://cronkitenews.asu.edu/assets/images/15/04/28-calls-full.jpg>

Shayna Palles of Glendale said daily calls to prison inmate David Colbert, her husband and the father of her 2-year-old daughter, have cost her \$180 a month. Inmate-rights groups say Arizona and other states profit from those calls by receiving commissions from companies that handle prisoner phone calls.

Photo by Agnel Philip

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